

**REMARKS**

The outstanding Action has been received and carefully noted. The above amendments and the following remarks are submitted as a full and complete response thereto.

By this Amendment, claims 1-4, 6, 7, 9 and 10 have been canceled without prejudice or disclaimer, and claims 5, 8 and 11 have been editorially amended to change dependency thereto. No new matter has been introduced. Accordingly, claims 5, 8, and 11 are submitted for reconsideration.

**Allowable Subject Matter**

It is noted with appreciation that claims 5, 8 and 11 have been indicated in item 9 of the outstanding Action to contain allowable subject matter.

**Claims 5, 8 and 11 are objected to as being dependent on a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.**

By this Amendment, claims 5, 8 and 11 have been rewritten in independent form, including all of the limitations of the base claim and any intervening claims. Applicant respectfully submits that these claims are now in condition for allowance.

**Claim Rejections**

Claims 1-11 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-8 of copending application No. 09/609, 651 (LIN et al.)

A terminal disclaimer will be submitted after claims 5, 8 and 11 have been reconsidered and placed in condition for allowance.

Claims 1 and 7 are rejected under 35 U.S.C. 102(e) as being anticipated by Imamura (U.S. Patent No. 6,232,949).

By this Amendment, claims 1 and 7 have been canceled, hence the rejections thereto are now moot.

Claims 2-4, 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Imamura in view of Sugimoto et al. (U.S. Patent No. 5,777,610).

By this Amendment, claims 2-4, 9 and 10 have been canceled, hence the rejections thereto are now moot.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Imamura in view of Sugimoto et al. and further in view of Prior Art Fig. 1, cited by Applicant.

By this amendment, claim 6 has been canceled, hence the rejection thereto is now moot.

In view of the foregoing, Applicant respectfully requests allowance of claims 5, 8 and 11 and the prompt issuance of a Notice of Allowability. However, should the Examiner believe anything further is desirable in order to place this application in better condition for allowance, the Examiner is requested to contact the undersigned at the telephone number listed below.

In the event this paper is not considered to be timely filed, Applicant hereby petitions for an appropriate extension of time. The fee for this extension may be charged to our Deposit Account No. 50-2394.

Respectfully submitted,  
*IPS, Inc.*



Robert J. Forsell, Jr.  
Registration No. 51,693.

Customer No. 34003  
5717 Colfax Ave  
Alexandria, VA 22311  
Tel: (703) 379-9625  
Fax: (702) 379-9628